

KASSON TOWNSHIP PLANNING COMMISSION

Monday, August 16, 2021, 7:00pm

Kasson Township Townhall

10988 S. Newman Rd. Maple City, MI 49664

1. **CALL TO ORDER/Pledge of Allegiance:** Chair Otto called the meeting to order at 7:00pm with the Pledge of Allegiance.
2. **RECOGNITION OF VISITORS AND ROLL CALL OF COMMISSIONERS**
 - A. **COMMISSIONERS PRESENT (roll call):** Commissioner Jim Anderson, Commissioner Kenneth Carter, Chair Stella Otto, Vice Chair Gerald Roush
 - B. **COMMISSIONERS NOT PRESENT:** Secretary Chuck Schaeffer
 - C. **STAFF PRESENT:** Tim Cypher, Zoning Administrator
 - D. **VISITORS PRESENT:** Jim Lively and Daryl Couturier
3. **CONSIDERATION OF THE AGENDA: Additions or Deletions -** Chair Otto asked for any additions or deletions to the agenda as presented. Carter moved to accept the August 16, 2021, Planning Commission Meeting agenda; Roush seconded. All present in favor, motion carried.
4. **DECLARATION OF CONFLICTS OF INTEREST:** None reported.
5. **GENERAL COMMENTS FROM THE PUBLIC:** None currently.
6. **APPROVAL OF MINUTES – July 19, 2021:** Chair Otto asked a motion to approve the July minutes. Roush moved to accept the July 19, 2021, Planning Commission Meeting minutes with minor corrections emailed to the Recording Secretary; Carter seconded. All present in favor, motion carried.
7. **PUBLIC HEARING**
 - A. Open the Hearing
Roush moved to open the Public Hearing on the SUP Renewal for Benzie County Road Commission and Lake Leelanau Excavating; Carter seconded. All present in favor, motion carried.
 1. Application from Benzie County – Gravel Pit SUP Renewal
 - a. Presentation by Applicant – not present
 - b. Zoning Administrator Report and Recommendation – Cypher reported that in a discussion with the fire chief that an actual address is needed for gravel pits with only a street name to facilitate 911 calls. Discussion followed. Cypher advised the site inspection was completed on Thursday, August 12, 2021, with everything in compliance. Cypher recommends that the planning commission board approve the SUP Renewal with conditions of providing the copy of the performance guarantee or a new one, plus the address update for 911.
 - c. Comments from the Public – none currently

- d. Commission Discussion and Vote – Roush moved to approve the Benzie County Road Commission SUP renewal for two years provided that a surety bond is presented and a letter with the required address of the gravel pit, with the Secretary completing the standard resolution document; Anderson seconded. All present in favor, motion carried.
- 2. Application from Lake Leelanau Excavating – Gravel Pit SUP Renewal
 - a. Presentation by Applicant
 - b. Zoning Administrator Report and Recommendation – Cypher advised that the public notice was posted in the Enterprise. Cypher reported that a review of the previous renewal was completed. Cypher advised that the site inspection was completed on Thursday, August 12, 2021, and Lake Leelanau Excavating was updated. Cypher advised Lake Leelanau Excavating of a recommendation to approve renewal for an additional two years. Short discussion followed on pit locations.
 - c. Comments from the Public – None
 - d. Commission Discussion and Vote – Carter moved to renew the SUP for the Lake Leelanau Gravel Pit with the Secretary completing the standard resolution documentation; Anderson seconded. All present in favor, motion carried.
- B. Close the hearing – Roush moved to close the Public Hearing for the Benzie County and Lake Leelanau Excavating SUP renewals; Carter seconded. All present in favor, motion carried.
- 8. **CORRESPONDENCE RECEIVED** – Cypher advised of the flyer he received from the Grand Traverse Band regarding the high-speed internet with an 800 number to contact.
- 9. **REPORTS:**
 - A. Chairperson – Commissioner Otto reported that she will not be present for the September and October meetings.
 - B. Secretary – Commissioner Schaeffer was not present so no report was given.
 - C. Township Board – Commissioner Carter reported on the buffer zone for the gravel pit on 669. Discussion followed.
 - D. Zoning Board of Appeals – Commissioner Anderson had nothing to report.
 - E. Zoning Administrator’s Report – Zoning Administrator Cypher reviewed the July report supplied in the handouts. Cypher advised that Cathy Aylsworth’s project at the M72 facility is in process and Aylsworth understands the ramifications of enforcement.
- 10. **UNFINISHED BUSINESS:**
 - A. Master Plan
 - 1. Addition/strengthening language regarding agricultural enterprises – Schaeffer – Chair Otto advised at this time no language has been submitted by Schaeffer.
 - 2. Follow up on Census data to be included when it becomes available – Roush – Chair Otto requested that Roush follow up on when the Census data will be available.

3. Discussion of formatting the Master Plan into printable draft form – Discussion followed regarding the formatting of the Master Plan report and finding an outside source to format. Cypher advised he is sending Chair Otto the contact information for Annette Kleinschmit, owner of The EOffice. More discussion ensued. Planning commission members in agreement to move forward to find an outside source to complete the Master Plan formatting.

B. Lively Holdings

1. Update on sound engineer's visit – Cypher advised that the sound engineer has not been able to visit the site yet with hopes of having a time set up within the week. Discussion followed. Cypher reported that any calls or complaints on the previously approved concerts will come to the Zoning Administrator directly.

Jim Lively advised that he is not willing to pay any additional money for a sound engineer regarding a July 16th letter that specifies the need for a report on an already approved outdoor venue, which is not what the Livelys are asking for. Discussion followed. Cypher advised that the attorney will be providing an updated scope as the intent was not to reference the three-day concert venue previously approved. Spirited discussion ensued. Cypher recommended that the sound engineer visit be put on hold until the attorney clarifies that the sound engineer report is necessary for the indoor events being proposed.

Discussion followed regarding the \$5,500 escrow account approved previously by the planning commission members. Lively confirmed with Cypher that a letter from the attorney is forthcoming to clarify that the sound engineer study is for the indoor events being proposed.

2. Modification of escrow amount discussion – Jim Lively reported on estimates for the gravel drive, parking, fencing and seedlings, which may be \$13,000 to \$15,000. Cypher clarified that the gravel estimate is the for the 37 parking sites. Cypher advised there are options regarding the performance guarantee, which would involve a letter of credit from the bank for this amount rather than a cash escrow. Cypher stated that the purpose of the performance guarantee is due to the two-year renewal planning commission members are requesting. Discussion followed regarding the necessity of a motion at this time.

Roush moved to request a \$15,000 performance bond in the form of a letter of credit from a bank acceptable to the township treasurer and a two-year renewal review of the special use permit for the Lively campground/farm market; Anderson supported. All present in favor, motion carried.

Discussion followed on phase two. Cypher asked that Livelys provide an update on the items up for approval for phase two at the September meeting.

11. NEW BUSINESS:

A.

12. COMMENTS FROM THE PUBLIC: Daryl Couturier stated that a house around the corner of the gravel pit sold for more than the asking price. Couturier advised that concerns about the gravel pits degrading the township may not be valid with respect to home values. Discussion followed about the housing values.

13. COMMENTS FROM THE COMMISSIONERS: Commissioner Roush advised he will not be attending at the October meeting.

14. NEXT MEETING: Regular meeting on Monday, September 20, 2021, 7:00pm, Kasson Township Hall

15. ADJOURNMENT: Chair Otto requested a motion for adjournment of the August 16, 2021, Planning Commission meeting. Carter moved to adjourn the meeting; Carter seconded. All present in favor, motion carried. Meeting adjourned at 8:09pm.

Respectfully Submitted

Sandra Dunkin, Recording Secretary

Date Approved: